

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DIOCESE OF DULUTH,

Plaintiff,

Case No. 0:17-cv-03254-DWF-LIB

v.

LIBERTY MUTUAL INSURANCE
COMPANY, a Massachusetts
corporation; CATHOLIC MUTUAL
RELIEF SOCIETY OF AMERICA,
a Nebraska corporation; FIREMAN'S
FUND INSURANCE COMPANY,
a California corporation;
CHURCH MUTUAL INSURANCE
COMPANY, a Wisconsin corporation
and THE CONTINENTAL INSURANCE
COMPANY, an Illinois corporation,

**DECLARATION OF
DENNIS R. CONNOLLY**

Defendants.

DENNIS R. CONNOLLY, under penalty of perjury, declares and states:

1. I was retained by counsel for the Diocese of Duluth ("Diocese") in connection with this lawsuit to provide expert opinion regarding the inapplicability of aggregate limits to non-products bodily injury claims asserted under the CGL insurance policies sold to the Diocese in the 1960s through the early 1970s.

2. I have described my opinions in this case and the bases for those opinions in an expert report. A true and correct copy of my report, dated February 1, 2018, is attached as **Exhibit A**.

3. I was deposed in this case on March 15, 2018, and further described my opinions and the bases for those opinions in response to the questions asked in that deposition. A true and correct copy of the transcript from that deposition, including the errata, is attached as **Exhibit B**.

4. Attached as **Exhibit C** is a true and correct copy of the Standard Provisions for General Liability Policies, Comprehensive General Liability Form (1941), which formed a basis for the opinions stated in my expert report and discussed in my testimony.

5. Attached as **Exhibit D** is a true and correct copy of the Standard Provisions for General Liability Policies, Comprehensive General Liability Form (1947), which formed a basis for the opinions stated in my expert report and discussed in my testimony.

6. Attached as **Exhibit E** is a true and correct copy of the Standard Provisions for General Liability Policies, Comprehensive General Liability Form (1955), which formed a basis for the opinions stated in my expert report and discussed in my testimony.

7. Attached as **Exhibit F** is a true and correct copy of the Standard Provisions for General Liability Policies, Comprehensive General Liability Form (1966), which formed a basis for the opinions stated in my expert report and discussed in my testimony.

8. Attached as **Exhibit G** is a true and correct copy of the article by Richard H. Elliot, entitled *The New Comprehensive General Liability Policy*, Liability Insurance Disputes (S. Schreiber edition 1968), which formed a basis for the opinions stated in my expert report and discussed in my testimony.

9. Attached as **Exhibit H** is a true and correct copy of the article by Norman Nachman, entitled *The New Policy Provisions for General Liability Insurance*, 18 The Annals 196 (1965), which formed a basis for the opinions stated in my expert report and discussed in my testimony.

10. Attached as **Exhibit I** is a true and correct copy of the policy issued to the Firemen's Insurance Company of Newark, N.J. policy CBP 432832, with policy period from April 24, 1973 to April 24, 1976, that the Diocese produced in the above-captioned matter with Bates numbers DD_INS_00195-DD_INS_00288, which formed a basis for the opinions stated in my expert report and discussed in my testimony.

11. I make this declaration based on personal knowledge. The statements of fact contained in my report and deposition transcript in this case are true and correct to the best of my knowledge.

12. My qualifications to provide expert opinion testimony in this case are described in my February 1, 2018 report and in my Curriculum Vitae enclosed as Exhibit A thereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 13, 2018

A handwritten signature in blue ink, appearing to read "Dennis R. Connolly", written over a horizontal line.

DENNIS R. CONNOLLY